



General Assembly

**Substitute Bill No. 5480**

January Session, 2013



**AN ACT REQUIRING AN ASSESSMENT OF THE USE OF CERTAIN  
PESTICIDES AT THE UNIVERSITY OF CONNECTICUT PLANT  
SCIENCE RESEARCH AND EDUCATION FACILITY AND  
PROHIBITING TAMPERING WITH HYDRANTS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective from passage*) (a) Not later than October  
2 31, 2013, the Department of Energy and Environmental Protection, in  
3 consultation with the Department of Public Health, shall conduct an  
4 assessment of the practices employed at The University of Connecticut  
5 Plant Science Research and Education Facility. Such assessment shall  
6 include, but need not be limited to: (1) An examination of the  
7 procedures for the storage and application of pesticides on said  
8 facility, (2) a review of the protocols used to ensure the safe application  
9 of pesticides, including, but not limited to, any pesticide that requires  
10 an experimental use permit issued by the United States Environmental  
11 Protection Agency, and (3) an evaluation of the water testing regimen  
12 at said facility, including, but not limited to, a review of the timing,  
13 locations and types of such testing, the number of wells subject to such  
14 testing and the types of pesticides identified by such testing.

15 (b) Not later than February 1, 2014, the Departments of Energy and  
16 Environmental Protection and Public Health shall submit to the joint  
17 standing committee of the General Assembly having cognizance of

18 matters relating to the environment any recommendations for  
19 legislation or revised practices at said facility that the departments  
20 determine are necessary as a result of the assessment conducted  
21 pursuant to subsection (a) of this section.

22 Sec. 2. (NEW) (*Effective from passage*) No person shall open, operate,  
23 take water from or tamper with any hydrant or otherwise take water  
24 from or tamper with any public water supply reservoir without: (1)  
25 The legal authority to take such action, or (2) the consent of the water  
26 utility, municipality or other entity that owns or controls such hydrant  
27 or public water supply reservoir. Any person who violates the  
28 provisions of this section shall be fined five hundred dollars for the  
29 first offense and one thousand dollars for any subsequent offense.

30 Sec. 3. Subsection (b) of section 51-164n of the general statutes is  
31 repealed and the following is substituted in lieu thereof (*Effective from*  
32 *passage*):

33 (b) Notwithstanding any provision of the general statutes, any  
34 person who is alleged to have committed (1) a violation under the  
35 provisions of section 1-9, 1-10, 1-11, 4b-13, 7-13, 7-14, 7-35, 7-41, 7-83, 7-  
36 283, 7-325, 7-393, 8-12, 8-25, 8-27, 9-63, 9-322, 9-350, 10-193, 10-197, 10-  
37 198, 10-230, 10-251, 10-254, 12-52, 12-170aa, 12-292 or 12-326g,  
38 subdivision (4) of section 12-408, subdivision (3), (5) or (6) of section  
39 12-411, section 12-435c, 12-476a, 12-476b, 12-487, 13a-71, 13a-107, 13a-  
40 113, 13a-114, 13a-115, 13a-117b, 13a-123, 13a-124, 13a-139, 13a-140, 13a-  
41 143b, 13a-247 or 13a-253, subsection (f) of section 13b-42, section 13b-  
42 90, 13b-221, 13b-292, 13b-336, 13b-337, 13b-338, 13b-410a, 13b-410b or  
43 13b-410c, subsection (a), (b) or (c) of section 13b-412, section 13b-414,  
44 subsection (d) of section 14-12, section 14-20a or 14-27a, subsection (e)  
45 of section 14-34a, subsection (d) of section 14-35, section 14-43, 14-49,  
46 14-50a or 14-58, subsection (b) of section 14-66, section 14-66a, 14-66b  
47 or 14-67a, subsection (g) of section 14-80, subsection (f) of section 14-  
48 80h, section 14-97a, 14-100b, 14-103a, 14-106a, 14-106c, 14-146, 14-152,  
49 14-153 or 14-163b, a first violation as specified in subsection (f) of  
50 section 14-164i, section 14-219 as specified in subsection (e) of said

51 section, subdivision (1) of section 14-223a, section 14-240, 14-249, 14-  
 52 250 or 14-253a, subsection (a) of section 14-261a, section 14-262, 14-264,  
 53 14-267a, 14-269, 14-270, 14-275a, 14-278 or 14-279, subsection (e) or (h)  
 54 of section 14-283, section 14-291, 14-293b, 14-296aa, 14-319, 14-320, 14-  
 55 321, 14-325a, 14-326, 14-330 or 14-332a, subdivision (1), (2) or (3) of  
 56 section 14-386a, section 15-25 or 15-33, subdivision (1) of section 15-97,  
 57 subsection (a) of section 15-115, section 16-44, 16-256, 16-256e, 16a-15 or  
 58 16a-22, subsection (a) or (b) of section 16a-22h, section 17a-24, 17a-145,  
 59 17a-149, 17a-152, 17a-465, 17a-642, 17b-124, 17b-131, 17b-137 or 17b-  
 60 734, subsection (b) of section 17b-736, section 19a-30, 19a-33, 19a-39 or  
 61 19a-87, subsection (b) of section 19a-87a, section 19a-91, 19a-105, 19a-  
 62 107, 19a-113, 19a-215, 19a-219, 19a-222, 19a-224, 19a-286, 19a-287, 19a-  
 63 297, 19a-301, 19a-309, 19a-335, 19a-336, 19a-338, 19a-339, 19a-340, 19a-  
 64 425, 19a-502, 20-7a, 20-14, 20-158, 20-231, 20-249, 20-257, 20-265, 20-  
 65 324e, 20-341l, 20-366, 20-597, 20-608, 20-610, 21-1, 21-30, 21-38, 21-39,  
 66 21-43, 21-47, 21-48, 21-63 or 21-76a, subdivision (1) of section 21a-19,  
 67 section 21a-21, subdivision (1) of subsection (b) of section 21a-25,  
 68 section 21a-26 or 21a-30, subsection (a) of section 21a-37, section 21a-  
 69 46, 21a-61, 21a-63 or 21a-77, subsection (b) of section 21a-79, section  
 70 21a-85 or 21a-154, subdivision (1) of subsection (a) of section 21a-159,  
 71 subsection (a) of section 21a-279a, section 22-12b, 22-13, 22-14, 22-15,  
 72 22-16, 22-29, 22-34, 22-35, 22-36, 22-38, 22-39, 22-39a, 22-39b, 22-39c, 22-  
 73 39d, 22-39e, 22-49, 22-54, 22-61, 22-89, 22-90, 22-98, 22-99, 22-100, 22-  
 74 111o, 22-167, 22-279, 22-280a, 22-318a, 22-320h, 22-324a, 22-326 or 22-  
 75 342, subsection (b), (e) or (f) of section 22-344, section 22-359, 22-366,  
 76 22-391, 22-413, 22-414, 22-415, 22a-66a or 22a-246, subsection (a) of  
 77 section 22a-250, subsection (e) of section 22a-256h, section 22a-363, 22a-  
 78 381d, 22a-449, 22a-461, 23-37, 23-38, 23-46 or 23-61b, subsection (a) or  
 79 subdivision (1) of subsection (c) of section 23-65, section 25-37 or 25-40,  
 80 subsection (a) of section 25-43, section 2 of this act, section 25-135, 26-  
 81 18, 26-19, 26-21, 26-31, 26-40, 26-40a, 26-42, 26-49, 26-54, 26-56, 26-58 or  
 82 26-59, subdivision (1) of subsection (d) of section 26-61, section 26-64,  
 83 subdivision (1) of section 26-76, section 26-79, 26-87, 26-89, 26-91, 26-94,  
 84 26-97, 26-98, 26-104, 26-105, 26-107, 26-117, 26-128, 26-131, 26-132, 26-  
 85 138 or 26-141, subdivision (1) of section 26-186, section 26-207, 26-215,

86 26-217 or 26-224a, subdivision (1) of section 26-226, section 26-227, 26-  
87 230, 26-232, 26-244, 26-257a, 26-260, 26-276, 26-284, 26-285, 26-286, 26-  
88 288, 26-294, 28-13, 29-6a, 29-25, 29-109, 29-143o, 29-143z or 29-156a,  
89 subsection (b), (d), (e) or (g) of section 29-161q, section 29-161y or 29-  
90 161z, subdivision (1) of section 29-198, section 29-210, 29-243 or 29-277,  
91 subsection (c) of section 29-291c, section 29-316, 29-318, 29-381, 30-48a,  
92 30-86a, 31-3, 31-10, 31-11, 31-12, 31-13, 31-14, 31-15, 31-16, 31-18, 31-23,  
93 31-24, 31-25, 31-32, 31-36, 31-38, 31-38a, 31-40, 31-44, 31-47, 31-48, 31-51,  
94 31-51k, 31-52, 31-52a or 31-54, subsection (a) or (c) of section 31-69,  
95 section 31-70, 31-74, 31-75, 31-76, 31-76a, 31-89b or 31-134, subsection  
96 (i) of section 31-273, section 31-288, subdivision (1) of section 35-20,  
97 section 36a-787, 42-230, 45a-283, 45a-450, 45a-634 or 45a-658,  
98 subdivision (13) or (14) of section 46a-54, section 46a-59, 46b-22, 46b-24,  
99 46b-34, 47-34a, 47-47, 49-8a, 49-16, 53-133, 53-199, 53-212a, 53-249a, 53-  
100 252, 53-264, 53-280, 53-302a, 53-303e, 53-311a, 53-321, 53-322, 53-323, 53-  
101 331, 53-344 or 53-450, or (2) a violation under the provisions of chapter  
102 268, or (3) a violation of any regulation adopted in accordance with the  
103 provisions of section 12-484, 12-487 or 13b-410, or (4) a violation of any  
104 ordinance, regulation or bylaw of any town, city or borough, except  
105 violations of building codes and the health code, for which the penalty  
106 exceeds ninety dollars but does not exceed two hundred fifty dollars,  
107 unless such town, city or borough has established a payment and  
108 hearing procedure for such violation pursuant to section 7-152c, shall  
109 follow the procedures set forth in this section.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	51-164n(b)

**ENV** Joint Favorable Subst.